

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

ASHLEY WAGNER,

Plaintiff,

v.

JOHN R. MCKIBBEN, ET AL.,

Defendants.

Case No. 2:19-cv-00844-JCM-EJY

**ORDER RESCHEDULING EARLY  
NEUTRAL EVALUATION**

This matter is before the Court on the parties Stipulation and Order to Continue Early Neutral Evaluation (ECF No. 13), filed on August 21, 2019. The Court will **grant in part** the parties' request to continue the ENE session and the ENE scheduled for **Wednesday, August 28, 2019** will be vacated. However, the Court will **deny in part** the parties' request for the ENE session to be continued to November 13, 2019 as that date is no longer available. The ENE will be reset for **Wednesday, September 18, 2019**. Plaintiff must report to the chambers of the undersigned United States Magistrate Judge, Room 3099, Lloyd D. George United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada at **9:30 a.m.** Defendants must report to the chambers of the undersigned at **10:00 a.m.**

An attorney of record who will be participating in the trial of this case, all parties appearing pro se, if any, and all individual parties must be present in person. In the case of non-individual parties, counsel must arrange for a representative with binding authority to settle this matter up to the full amount of the claim to be present in person for the duration of the ENE session. If any party is subject to coverage by an insurance carrier, then a representative of the insurance carrier with authority to settle this matter up to the full amount of the claim must also be present in person for the duration of the ENE session.

1 A request for an exception to the above attendance requirements must be filed and served  
2 on all parties at least 14 days before the ENE session. An attorney of record, individual parties, a  
3 fully-authorized representative, and a fully-authorized insurance representative must appear in  
4 person unless the court enters an order granting a request for exception.

5 **PREPARATION FOR ENE SESSION**

6 In preparation for the ENE session, the attorneys for each party, and the parties appearing  
7 pro se, if any, must submit a confidential written evaluation statement for the court's in camera  
8 review. The evaluation statement must comply with Local Rule 16-6(f). The written evaluation  
9 statements must be submitted directly to the undersigned's chambers—Room 3099—by **4:00**  
10 **p.m. on Wednesday, September 11, 2019.** Do not deliver or mail them to the clerk's office. Do  
11 not serve a copy on opposing counsel. The purpose of the evaluation statement is to assist the  
12 undersigned in preparing for and conducting the ENE session. To facilitate a meaningful session,  
13 your utmost candor in providing the requested information is required. The written evaluation  
14 statements will not be seen by or shared with the district judge or magistrate judge to whom this  
15 case is assigned. The evaluation statements will be seen by no one except the undersigned. Each  
16 statement will be securely maintained in my chambers, and will be destroyed following the  
17 session.

18 Failure to comply with the requirements set forth in this order will subject the non-  
19 compliant party to sanctions under Local Rule IA 11-8 or Federal Rule of Civil Procedure 16(f).

20 IT IS SO ORDERED.

21 DATED: August 21, 2019

22 

23 DANIEL J. ALBREGTS  
24 UNITED STATES MAGISTRATE JUDGE